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Attorney Docket No. BC-1

**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below by my name;

I believe I am the original, first and only inventor, if only one name is listed below, or an original, first and joint inventor if multiple names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**INTERNET BUSINESS MODEL FOR THE PRODUCTION, MARKET MAKING AND DISTRIBUTION OF AUDIO AND MULTIMEDIA PROGRAMS**

for which a patent application:

☒ is attached hereto.

- ☐ was filed in the United States on \_\_\_\_\_ as Application No. \_\_\_\_\_;
- ☐ with amendment(s) filed on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the application identified above, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56, which states in relevant part: Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d), of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (Day, Month, Year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e), of any United States provisional application(s) listed below:

APPLICATION NUMBER	DATE OF FILING
60/177817	January 25, 2000

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior

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United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

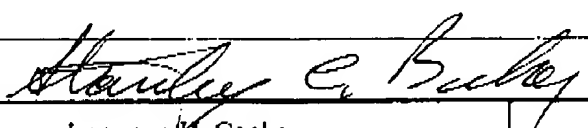

APPLICATION NUMBER	DATE OF FILING	STATUS		
		PATENTED	PENDING	ABANDONED

I hereby appoint Michael Hetherington (Reg. No.32,357) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith, and to file, prosecute and transact all business in connection with international applications directed to said invention.

Address correspondence to:  
Michael Hetherington  
Woodside I P Law Group  
P. O. Box 620839  
120 Langley Hill Road  
Woodside, CA 94062

Direct telephone calls to:  
Michael Hetherington  
(650) 851-3634

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

		Additional inventor name(s) and signature(s) attached?: YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
Name and Citizenship	Stanley C. Baker	United States	
Residence Address	1360 Bouret Drive San Jose, CA 95118		
Postal Address(if different from Residence)			
Signature and Date			1-23-01
Name and Citizenship	Laurence H. Cooke	United States	
Residence Address	25399 Spanish Ranch Road, Los Gatos, CA 95030		
Postal Address(if Different from Residence)			
Signature and Date			1/23/01

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

PATENT APPLICATION

Stanley C. Baker  
Laurence H. Cooke

Examiner: Not Assigned

Application No: Not Assigned

Group Art Unit: Not Assigned

Filed: January 23, 2001

Title: INTERNET BUSINESS MODEL FOR THE PRODUCTION, MARKET MAKING AND  
DISTRIBUTION OF AUDIO AND MULTIMEDIA PROGRAMS

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 C.F.R. § 1.9(c) INDEPENDENT INVENTORS**

As below-named inventors, we hereby declare that we qualify as independent inventors as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35 United States Code, to the Patent and Trademark Office with regard to our above-identified invention described in the specification filed herewith. We have not assigned, granted, conveyed, or licensed, and are under no obligation under any contract or law to assign, grant, convey, or license any rights in the invention to either (a) any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or (b) any concern which would not qualify as either (i) a small business concern under 37 CFR 1.9(d) or (ii) a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which we have assigned, granted, conveyed, or licensed or are under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ There is no such person, concern, or organization.

☐ Any applicable person, concern, or organization is listed below:

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

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We acknowledge a duty to file, in the above patent application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature of First Inventor *Stanley C. Baker*  
Print Name of First Inventor Stanley C. Baker  
Date of Signature January 23, 2001

Signature of Second Inventor *Laurence H. Cooke*  
Print Name of Second Inventor Laurence H. Cooke  
Date of Signature Jan 23, 2001